

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LLEEWLLYN NALLS,

Plaintiff,

Case No. 06-12144

v.

Hon. John Corbett O'Meara

WEST ASSET MANAGEMENT, INC., *et al.*,

Defendants.

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ORDER OF PARTIAL DISMISSAL

On May 10, 2006, Plaintiff filed a three-count complaint alleging violations as follows: Count I, Fair Debt Collection Practices Act; Count II, Michigan Occupational Code; and Count III, Michigan Debt Collection Practices Act. Plaintiff does not allege that diversity jurisdiction exists. Although Count I is cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations present claims based on state law. This court declines to exercise supplemental jurisdiction over Plaintiff's state law claims so as to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Accordingly, IT IS HEREBY ORDERED that Count II and III of Plaintiff's Complaint is DISMISSED.

s/John Corbett O'Meara
John Corbett O'Meara
United States District Judge

Dated: June 2, 2006